

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1883 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE S.D.PANDIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

NAVIN CHANDRA RATILAL KARIA

Versus

PRESIDENT OF NAGARPALIKA KESHOD

Appearance:

MR BB PARMAR for Petitioner

MR YS LAKHANI for Respondent No. 1

GOVERNMENT PLEADER for Respondent No. 3

CORAM : MR.JUSTICE S.D.PANDIT

Date of decision: 10/07/98

ORAL JUDGEMENT

#. Leave to amend to add the other 15 employees in whose favour the award is passed along with the present petitioner in reference No.111/94 to 134/94.

#. Rule, Mr. Devnanni, L.A. appearing for Mr.Yogesh Lakhani, Learned Advocate for the Respondents No.1 & 2 and Mr. Gharaniya, Asstt. Govt. Pleader for respondent

No.3 waive the service of rule respectively.

#. This petition is filed by the present petitioner seeking direction from this court to respondent No.3 to recover amount from respondent No.1 payable to them as per the terms of the award passed in Reference No.111/94 to 136/94 by the Labour Court of Junagadh. When this petition came up for hearing, the learned advocate for the petitioner and the respondent No.1 & 2 jointly make statement that there is an agreement between the petitioners and the respondents No.1 & 2 and that the petitioners are ready and willing to accept the amount payable to them in monthly installments of Rs.1000/- per month payable from 11th April,1997. As regards the amount payable to the petitioners from 11th April,1997 to 11th June,1998, there is further agreement between the parties that the said amount should be paid in three equal installments from August,1998 along with the monthly pay and each of the petitioners besides the installment of Rs.1000/- payable in August,1998. While making the payment in these installments towards dues of petitioners as per the order passed by the labour court of Junagadh, the respondent No.1 should obtain separate receipt from each of the petitioners and the respondent No.1 should give intimation of each payment to the respondent No.3 Collector of Junagadh along the xerox copy of the receipt obtained from each of the petitioners. In case, if the respondent No.1 fails to make the payment of any instalment as agreed between the parties then respondent No.3 would at liberty to recover the whole amount then due from the respondent No.1. In view of the above stated settlement between the parties and above direction, this petition stands disposed of but in case of difficulty, the petitioners will be at liberty to revive the same. No order as to cost. Notice discharge.

Date : 10-7-1998 (S.D.Pandit, J.)

(KPP)